

Message Text

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ACTION EA-10

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C O N F I D E N T I A L MANILA 14705

E O 11652: GDS

TAGS: PINT, RP

SUBJ: POLITICAL DETAINEES

REF:

1. BEGIN SUMMARY: GOVERNMENT CONTINUES MILK POLITICAL DETAINEE RELEASE FOR ALL ITS WORTH. ARCHBISHOP SIN, APPEARED AT CAMP CRAME DECEMBER 12 TO GREET RELEASED DETAINEES AND REITERATED GRATITUDE TO MARCOS FOR REUNITING FAMILIES BEFORE CHRISTMAS. PRESIDENT HAS DIRECTED DEFSEC TO REVIEW CASES PENDING BEFORE MILITARY TRIBUNALS AND TRANSFER THOSE INVOLVING ORDINARY CRIMES TO CIVIL COURTS. WIVES OF LOPEZ JR. AND OSMENA III ISSUED STATEMENT LAYING DOWN SIX CONDITIONS FOR ACCEPTING CIVILIAN COURT TRIAL UNDER MARTIAL LAW. (ONE OF WHICH IS THAT ALL DETAINEES HAVE RIGHT OF CIVILIAN TRIAL); IF CONDITIONS NOT MET, OSMENA/LOPEZ WOULD PURPORTEDLY NOT DEFEND THEMSELVES A LA AQUINO. AP REPORTS ADVISORS TO LOPEZ/OSMENA HAVE SAID RIGHT TO CIVILIAN TRIAL FOR "ALL PRISONERS" MEANT TO INCLUDE SEN. AQUINO. END SUMMARY

2. MANILA PAPERS DECEMBER 13 FEATURE STORIES AND PICTURES OF DETAINEES SIGNING RELEASE PAPERS AND TAKING OATH OF ALLEGIANCE. REPORTEDLY, 291 PRISONERS RELEASED IN GREATER MANILA AREA. ARCHBISHOP SIN MADE SURPRISE
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APPEARANCE AT CAMP CRAME TO GREET RELEASED DETAINEES AND

REITERATED THANKS TO MARCOS FOR ALLOWING FAMILIES TO BE REUNITED PRIOR TO CHRISTMAS.

3. ON DECEMBER 12, MARCOS DIRECTED DEFSEC. ENRILE TO REVIEW ALL CASES PENDING BEFORE MILITARY TRIBUNALS SO THAT THOSE INVOLVING ORDINARY CRIMES COULD BE TRANSFERRED TO CIVILIAN COURTS. PRESIDENT'S ACTION IS FOLLOW-UP ON OCTOBER DECISION WHEN HE ISSUED ORDER DIVESTING MILITARY OF JURISDICTION OVER CERTAIN CRIMES AND TRANSFERRING IT TO CIVILIAN TRIBUNALS (MANILA 12013).

4. WIVES OF LOPEZ JR. AND OSMENA III RELEASE STATEMENT DECEMBER 12 STIPULATING SIX CONDITIONS FOR THEIR HUSBANDS' ACCEPTING CIVIL CURT TRIAL. LOPEZ/OSMENA DEMAND (A) RIGHT TO CIVILIAN TRIAL FOR ALL POLITICAL DETAINEES (B) THAT MARCOS GIVE LIFE TENURE TO ALL JUDGES (C) THAT RIGHT TO BAIL BE RESPECTED, (D) THAT PRESS COVERAGE BE ALLOWED WITHOUT PRIOR RESTRAINT, (E) THAT MARCOS ACT ON ALL PENDING APPLICATIONS FROM DETAINEES FOR AMNESTY AND (F) THAT HE RESTORE WRIT OF HABEAS CORPUS TO AVOID FURTHER ARBITRARY DETENTIONS. LOPEZ/OSMENA STATEMENT ALSO SAID THAT IF THEY TO BE TRIED BY CIVILIAN COURT ALL POLITICAL PRISONERS WITHOUT EXCEPTION SHOULD ALSO BE TRIED BY CIVILIAN COURTS. SENATOR TANADA TOLD EMBASSY THEY WOULD REFUSE TO DEFEND THEMSELVES A LA AQUINO IF CONDITIONS NOT MET. AP'S ZEITLIN QUOTES LOPEZ/OSMENA ADVISORS SAYING RIGHT TO CIVIL TRIAL FOR ALL PRISONERS INCLUDED SENATOR AQUINO.

4. COMMENT: GOVERNMENT IS MILKING DETAINEE RELEASE FOR ALL IT WORTH. PRESIDENTIAL DIRECTIVE TO MILITARY TO SPEED UP TRANSFER OF CERTAIN CASES TO CIVILIAN JURISDICTION APPEARS DESIGNED TO ENHANCE IMPRESSION MARTIAL LAW RULE BECOMING LESS RIGOROUS. LOPEZ/OSMENA JR. ADVISORS' STATEMENT THEY WANT CIVILIAN TRIAL FOR AQUINO TOO ADDS NEW DIMENSION TO SITUATION. PRESIDENT WILL NOT LIKE BEING CROWDED ON AQUINO, WHOM HE CONSIDERS HIS GREATEST THREAT. POLCOUNSELOR'S DEC. 13 CONVERSATION WITH SEN. TANADA AND ADDITIONAL COMMENTS BEING SENT SEPTTEL. ARNOLD

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